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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 KENNETH FRIEDMAN,

11 Plaintiff,

12 v.

13 STATE OF NEVADA, *et al.*,

14 Defendants.
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Case No. 2:10-CV-1038-KJD-PAL

ORDER

16 Presently before the Court is the Order and Report of Findings and Recommendation (#22)
17 of Magistrate Judge Peggy A. Leen recommending that Plaintiff's complaint be dismissed for failing
18 to pay the partial filing fee in compliance with the Court's prior Order (#16). Judge Leen specifically
19 recommended the complaint be dismissed if Plaintiff failed to pay the fee on or before December 8,
20 2010. Plaintiff paid the initial installment on the filing fee on December 7, 2010. The Court has
21 conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. §
22 636(b)(1) and LR IB 3-2. The Court finds that the Report of Findings and Recommendation
23 (#22) of the United States Magistrate Judge entered December 8, 2010, should be denied.

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1 IT IS THEREFORE ORDERED that the Order and Report of Findings and
2 Recommendation (#22) of the United States Magistrate Judge entered December 8, 2010, is
3 **DENIED.**

4 DATED this 6th day of January 2011.

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Kent J. Dawson
United States District Judge
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